

PUBLIC SERVICE COMMISSION OF WISCONSIN

Minutes and Informal Instructions of the Open Meeting of
Thursday, November 5, 2009

The Public Service Commission of Wisconsin (Commission) met as noticed. Present were Chairperson Callisto and Commissioner Meyer.

Minutes

This item was laid over at the request of the Commission.

5-AE-195 – Application for Approval of the Elm Road Generating Station Super Critical LLC New Common Facilities Interim Use and Operating Agreement

The Commission approved the Notice of Investigation and directed it be signed by the Secretary to the Commission on behalf of the Commission.

3270-AE-103 – Application for Approval of Affiliated Interest Agreements Between Madison Gas and Electric Company and MGE Power Elm Road, LLC, Related to the Ownership and Leasing of Undivided Minority Interests in Elm Road Generating Station Units 1 and 2, and Associated New Common Facilities

Selection of Compliance Auditor

The Commission approved Pricewaterhouse Coopers LLP to serve as compliance auditor under the Facility Lease in docket 3270-AE-103.

The Commission directed the Gas and Energy Division to draft an order consistent with its decision.

Modification of Delegation of Authority Respecting the Certification of Alternative Telecommunications Utilities

The Commission modified the existing delegated authority to permit the Administrator of the Telecommunications Division to:

1. decide a request of a competitive local exchange carrier converted from carrier status to remove certificate duty to tariff intrastate long distance service offerings; and
2. include Wis. Stat. § 196.859 in future non-reseller alternative telecommunications utility (ATU) certificates.

The Commission delegated one-time authority to the Administrator of the Telecommunications Division to open one or more dockets to modify existing ATU certificates to impose compliance with Wis. Stat. § 196.859, and to conduct one or more proceedings as to any provider's objections, issuing a proposed decision in each such proceeding for transmittal to the Commission for final decision.

The Commission directed the Telecommunications Division to draft an order consistent with its decision.

6720-US-100 – Wisconsin Bell, Inc., d/b/a AT&T Wisconsin, Petition for Modification of Commission's Uniform System of Accounts (USOA) Requirements for AT&T Wisconsin to Conform to Federal Communications Commission's Forbearance Order

The Commission granted the petition filed on behalf of AT&T Wisconsin for relief from its obligations to keep records in accordance with Part 32.27 (governing transactions with affiliates) of the Public Service Commission's Uniform System of Accounts (USOA), with a modification to account for enactment of Wis. Stat. § 196.859.

The Commission determined it will not investigate issues raised by the Wisconsin State Telecommunications Association, Inc., but will retain jurisdiction and rely on its ability to modify the USOA requirements at a later date if the need arises. The Commission may also seek additional data upon request per Wis. Stat. §§ 196.06(3) and 196.25, should an issue arise.

The Commission directed the Telecommunications Division to draft an order consistent with its decision.

5-GF-107 – Administration of the Universal Service Fund Grant Program for Access Programs or Projects by Non-Profit Groups

Fiscal Year (FY) 2010 Funding Proposals

The Commission awarded Fiscal Year 2010 Universal Service Fund grants to selected applicants for the Access Programs or Projects by Non-Profit Groups.

The Commission delegated to the Administrator of the Telecommunications Division the authority, after consultation with the rating panel, to reallocate any awarded funds rejected by an applicant to the remaining approved projects.

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**5-TI-1972 – Review of Whether to Continue Eligible Telecommunications Carrier
Requirements Adopted for Certain Wireless Providers**

The Commission approved the Notice of Investigation and directed it be signed by the Secretary to the Commission on behalf of the Commission.

The Commission adjourned the meeting at 10:43 a.m.

Sandra J. Paske
Secretary to the Commission